

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Library of Congress
Washington, DC

In re

**DETERMINATION OF ROYALTY RATES
AND TERMS FOR PERFORMANCE OR
DISPLAY OF NONDRAMATIC MUSICAL
WORKS AND PICTORIAL, GRAPHIC, AND
SCULPTURAL WORKS BY PUBLIC
BROADCASTING ENTITIES (PB IV)**

**Docket No. 21-CRB-0002-PBR
(2023-2027)**

**SUPPLEMENTAL JOINT PROPOSAL OF GLOBAL MUSIC RIGHTS, LLC
AND THE NATIONAL RELIGIOUS BROADCASTERS
NONCOMMERCIAL MUSIC LICENSE COMMITTEE REGARDING
RELIGIOUS BROADCASTERS AFFILIATED WITH EDUCATIONAL INSTITUTIONS**

On September 9, 2021, Global Music Rights, LLC (“GMR”) and the National Religious Broadcasters Noncommercial Music License Committee (“NRBNMLC”) submitted a joint proposal, covering 2023-2027, to establish statutory license rates pursuant to 17 U.S.C. § 118 for the payment of statutory blanket license royalties to GMR by certain noncommercial radio broadcasting entities that are not licensed to colleges, universities, or other nonprofit educational institutions and are not affiliated with National Public Radio or qualified to receive funds from the Corporation for Public Broadcasting (the “Non-NPR/Non-College Noncommercial Radio Stations”) for the performance of copyrighted musical compositions in the GMR repertory (“Joint Proposal”). GMR and the NRBNMLC hereby submit an additional proposed term covering noncommercial radio broadcasting entities that are licensed to colleges, universities, or other nonprofit educational institutions and that broadcast primarily in a religious format.

GMR AND THE NRBNMLC

GMR is a performing rights organization that represents many of today's most popular music creators in licensing public performance rights in their musical compositions. Founded in 2013 as the first performing rights organization in the United States in nearly 75 years, GMR's catalog has quickly expanded to include over 50,000 musical works. This is the first time that GMR has participated in a proceeding to set statutory license rates pursuant to 17 U.S.C. § 118.

The NRBNMLC is a subcommittee of the National Religious Broadcasters Music License Committee, which is a standing committee of the National Religious Broadcasters. The NRBNMLC represents hundreds of noncommercial educational religious radio broadcasters in music licensing matters, including numerous broadcasters affiliated with nonprofit educational institutions, including colleges and universities, and has negotiated on broadcasters' behalf in this proceeding and prior proceedings under 17 U.S.C. § 118.

THE PROPOSAL

On December 2, 2022, the Copyright Royalty Judges ("Judges") issued an order stating that:

In order for the Judges to adopt rates and terms of the sort proposed by ASCAP, BMI, GMR, and SESAC for noncommercial educational radio broadcast stations licensed to colleges or universities that are not affiliated with National Public Radio, Inc. ("NPR"), absent a proceeding, the Judges require an agreement among participants to adopt rates proposed by PROs for 37 C.F.R. § 381.5, or some other explanation from proponents of each proposal of specific statutory authority for the Judges to adopt the existing proposals, but no such agreement or explanation of authority has been filed. See 17 U.S.C. § 801(b)(7)(A).'

To address this issue with respect to such noncommercial broadcasting entities that broadcast primarily in a religious format, GMR and the NRBNMLC hereby propose the following language, to be included as part of 37 C.F.R. § 381.5(c)(4):

37 C.F.R. § 381.5(c)(4): For all such compositions in the repertory of GMR, the royalty rates shall be as follows:

* * *

(vi) For stations broadcasting primarily in a religious format (including, without limitation, Contemporary Christian music, praise and worship, Gospel, Southern Gospel, Spanish religious music, inspirational, religious, etc.), at their option for 2023-2027, either the rates set forth in this subsection (c)(4) or the rates set forth in 37 C.F.R. 381.6(d)(4).

This proposal only covers rates for noncommercial broadcasting entities broadcasting primarily in a religious format. It does not address rates for other broadcasting entities subject to Section 381.5(c)(4).¹ The NRBNMLC does not join GMR’s rate proposal for those other entities.

CONCLUSION

GMR and the NRBNMLC respectfully request that the Judges adopt this supplemental Joint Proposal.

¹ Separately, the participating performing rights organizations, *i.e.*, American Society of Composers, Authors, and Publishers, Broadcast Music, Inc., SESAC Performing Rights, LLC, and GMR (collectively, the “PROs”) have submitted a Joint Response to Order 6 Regarding Proposals and a Joint Proposal aggregating the PROs’ respective proposed rates for 37 C.F.R. § 381.5, which each include the text of GMR’s proposed rates for § 381.5(c)(4) in full. *See* Docket No. 21-CRB-0002-PBR (2023-2027), Doc. 27359, App’x A; Doc. 27360, App’x A.

Respectfully submitted,

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Counsel for Global Music Rights, LLC

Dated: December 7, 2022

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*Counsel for the National Religious
Broadcasters Noncommercial Music License
Committee*

Proof of Delivery

I hereby certify that on Wednesday, December 07, 2022, I provided a true and correct copy of the Supplemental Joint Proposal of Global Music Rights, LLC and the National Religious Broadcasters Noncommercial Music License Committee Regarding Religious Broadcasters Affiliated with Educational Institutions to the following:

American Society of Composers, Authors and Publishers, represented by Sam Mosenkis, served via E-Service at smosenkis@ascap.com

SESAC Performing Rights, LLC, represented by Timothy L Warnock, served via E-Service at twarnock@loeb.com

Powell, David, represented by David Powell, served via E-Service at davidpowell008@yahoo.com

Public Broadcasting Entities, represented by David P Mattern, served via E-Service at dmattern@kslaw.com

Broadcast Music, Inc., represented by Jennifer T. Criss, served via E-Service at jennifer.criss@faegredrinker.com

The Harry Fox Agency LLC, represented by Stephen Block, served via Email

Church Music Publishers' Association, Inc., represented by Carroll C Rigler, served via E-Service at cheshirerigler@shrumhicks.com

Educational Media Foundation, represented by David Oxenford, served via E-Service at doxenford@wbklaw.com

National Religious Broadcasters Noncommercial Music License Committee, represented by Karyn K Ablin, served via E-Service at ablin@fhhlaw.com

Signed: /s/ Scott A Zebrak